

00862.023345

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
: Examiner: Unassigned
SHOICHI IBARAKI, ET AL.)
: Group Art Unit: 2612
Application No.: 10/724,691)
:
Filed: December 2, 2003)
:
For: PAN HEAD APPARATUS AND) May 3, 2004
CABLE ACCOMMODATING UNIT :

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. §1.53(e) TO ACKNOWLEDGE COMPLETE APPLICATION

Sir:

A Notice to File Missing Parts of Non-Provisional Application was mailed March 1, 2004. The Notice indicated that Figure 9 appears to have been omitted from the application.

For the reasons set forth below, it is respectfully submitted that Figure 9 was included in the originally filed application, and thus the subject application should be accorded a filing date of December 2, 2003.

On December 2, 2003, Applicants duly filed a specification consisting of 43 pages, 18 sheets of formal drawings, and the requisite filing fee. These documents were hand carried to the mailroom of the U.S. Patent and Trademark Office. A copy of the postcard receipt itemizing the specification, 18 sheets of drawings and the filing fee was date-stamped by the U.S. Patent and Trademark Office on December 2, 2003, acknowledging receipt of these documents. Figure 9 was depicted on sheet 9 of the 18 sheets of drawings.

Accompanying this petition is a Declaration by Applicants' undersigned attorney, Scott D. Malpede, declaring that he reviewed the application papers on December 2, 2003, and these papers included a complete set of drawings consisting of 18 sheets.

Accordingly, it is respectfully submitted that Figure 9 was filed with the original application papers on December 2, 2003, and thus Figure 9 was not omitted from the application.

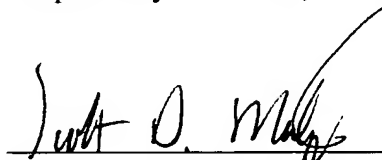
Therefore, the subject application should be accorded a filing of December 2, 2003.

A copy of the Notice is included with this petition.

Authorization is granted to charge Applicants' Deposit Account No. 06-1205 in the amount of \$130.00 pursuant to the petition fee required by 37 C.F.R. §1.17(h). Should the subject Petition be granted, a refund of the petition fee is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicants
Scott D. Malpede
Registration No. 32,533

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DECLARATION OF SCOTT D. MALPEDE

Sir:

I, Scott D. Malpede, am an attorney in the law firm of Fitzpatrick, Cella,
Harper & Scinto. My Registration No. is 32,533.

I am the attorney with primary responsibility for filing the subject application
on December 2, 2003.

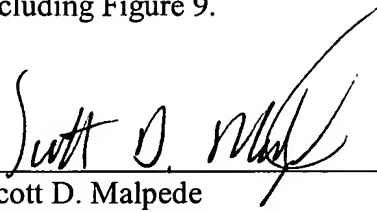
As part of my duties, on December 2, 2003, I reviewed the application papers
including 43 pages of specification and 18 sheets of drawings. I also reviewed the Utility Patent
Application Transmittal Sheet, identifying the specification as containing 43 pages, and the
drawings as consisting of 18 sheets.

Also, on December 2, 2003, I oversaw the assembling of the application and its
filing in the mailroom of the U.S. Patent and Trademark Office. A postcard itemizing the 43
pages of specification, 18 sheets of drawings and the filing fee was submitted with the

application papers and date-stamped by the U.S. Patent and Trademark Office on December 2, 2003, acknowledging receipt of these items.

To the best of my knowledge and belief, therefore, the application filed on December 2, 2003, consisted of 18 sheets of drawings, including Figure 9.

3 MAY 2004
Date



Scott D. Malpede
Attorney for Applicants
Registration No. 32,533

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